

House Bill 1136

By: Representatives Porter of the 143<sup>rd</sup>, Smyre of the 132<sup>nd</sup>, Hugley of the 133<sup>rd</sup>, Ashe of the 56<sup>th</sup>, Randall of the 138<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality Basic Education Act," so as to restore salary increases for persons receiving certification from the National Board for Professional Teaching Standards; to eliminate the requirement that the teacher be in a high-needs school; to eliminate the phase-out of the salary increases for such certification; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality Basic Education Act," is amended by revising Code Section 20-2-212.2, relating to salary increase for persons receiving certification from National Board for Professional Teaching Standards, as follows:

"20-2-212.2.

(a) As used in this Code section, the term:

~~(1) 'High-needs school' means a Georgia public school that has received an unacceptable rating for a period of two or more consecutive years; and~~

~~(2) 'National' national certification' means certification obtained from the National Board for Professional Teaching Standards.~~

~~(b) For initial national certification prior to July 1, 2006, and subsequent renewals anytime thereafter;~~

~~(1)~~ Any person who:

~~(A)~~(1) Is currently teaching ~~full-time~~ in a Georgia public school and holds a valid Georgia teaching certificate; and

~~(B)~~(2) Has successfully completed the prerequisite portfolio of student work and examination and has received national certification

shall receive not less than a 10 percent rate increase in state salary for each year he or she holds national certification. Such increase shall be awarded beginning on the date such certification is received. The 10 percent increase shall be computed based on the state salary for such individual when national certification is received and recomputed each subsequent year based on the individual's state salary for that school year. In the case of a person who has received such national certification prior to July 1, 2000, and is receiving or is eligible to receive a 5 percent rate increase, the 5 percent rate increase shall be changed to a 10 percent rate increase effective with the commencement of the 2000-2001 school year. The increase in state salary provided by this Code section shall be in addition to any other increase for which the person is eligible. ~~An individual receiving a salary increase pursuant to this subsection shall cease to receive such increase if he or she leaves a teaching position after March 1, 2009. This subsection shall be subject to appropriations by the General Assembly.~~

(c) A teacher shall be granted two days of approved paid leave to prepare the portfolio of student work required for national certification.

(d) A portion of the national certification program participation fee may be paid by the state prior to certification for any person who:

(1) Is currently teaching in a Georgia public school and holds a valid Georgia teaching certificate;

(2) Has submitted an application and the initial qualifying payment to the National Board for Professional Teaching Standards; and

(3) Has successfully completed a screening process developed by the Professional Standards Commission.

~~(2)~~(e) A teacher for whom the State of Georgia pays a portion of the national certification participation fee and who does not teach in a Georgia public school for at least one year after receiving certification shall repay the state's portion of the participation fee to the state. Repayment is not required if the teacher is unable to complete the additional year of teaching due to the death or disability of the teacher, and repayment is not required if the teacher fails to receive national certification.

~~(3)~~(f) The portion of the national certification program participation fee paid by the participant shall be reimbursed by the state upon certification for any teacher who is eligible for an increase pursuant to ~~paragraph (1) of this subsection~~ (b) of this Code section. ~~This paragraph shall be subject to appropriations by the General Assembly.~~

~~(4)~~(g) A teacher for whom the State of Georgia reimburses the cost of the participation fee and who does not teach in a Georgia public school for at least one year after receiving certification shall repay the reimbursement payment to the state. Repayment is not

required if the teacher is unable to complete the additional year of teaching due to the death or disability of the teacher.

~~(b.1) Any person who has enrolled in the process, as determined by the Professional Standards Commission, of attaining national certification on or before March 1, 2005, and who obtains initial certification and subsequent renewals after July 1, 2006, shall be eligible for salary increases, subject to appropriations by the General Assembly, pursuant to subsection (b) of this Code section if such person otherwise meets the requirements of subsection (b) of this Code section.~~

~~(c) Except as provided for in subsections (b.1) and (c.1) of this Code section, for initial national certification between July 1, 2006, and March 1, 2009, and subsequent renewals anytime thereafter,~~

~~(1) Any person who:~~

~~(A) Is currently teaching full time in a high-needs school and holds a valid Georgia teaching certificate as defined by the Professional Standards Commission; and~~

~~(B) Has successfully completed the prerequisite portfolio of student work and examination and has received national certification~~

~~shall receive not less than a 10 percent rate increase in state salary for each year he or she holds national certification. Such increase shall be awarded beginning on the date such certification is received. The 10 percent increase shall be computed based on the state salary for such individual when national certification is received. A teacher who transfers to a high-needs school after such individual receives national certification shall receive such increase beginning on the effective date of transfer if the teacher meets the requirements of this subsection, and such increase shall be computed based on the state salary for such individual on the effective date of the transfer. Provided such individual remains employed in a high-needs school or in a school that was designated as a high-needs school at the time the individual received national certification or transferred to such school and otherwise continues to meet the requirements of this subsection, the 10 percent increase shall be recomputed each subsequent year based on such individual's state salary for that school year. An individual receiving a salary increase pursuant to this subsection shall cease to receive such increase if he or she leaves a teaching position after March 1, 2009. This subsection shall be subject to appropriations by the General Assembly.~~

~~(2) The Professional Standards Commission shall provide annually to the Department of Education a roster of teachers who have retained national certification and are eligible for the annual increase.~~

~~(c.1) Any person who has enrolled in the process, as determined by the Professional Standards Commission, of attaining national certification on or before March 1, 2009, shall~~

99 ~~be eligible for salary increases, subject to appropriations by the General Assembly,~~  
100 ~~pursuant to subsection (c) of this Code section if such person otherwise meets the~~  
101 ~~requirements of subsection (c) of this Code section.~~  
102 ~~(d) Except as provided in subsection (c.1) of this Code section, on and after July 1, 2009,~~  
103 ~~only teachers receiving a salary increase pursuant to this Code section as of March 1, 2009,~~  
104 ~~shall be eligible to continue receiving such salary increases, subject to appropriations by~~  
105 ~~the General Assembly, but only if such teachers otherwise meet all applicable~~  
106 ~~requirements."~~

107 **SECTION 2.**

108 All laws and parts of laws in conflict with this Act are repealed.